

**Article 21**  
**PAID ANNUAL LEAVE**

- A. Initial Leave. Upon hire, each unit employee in a permanent or limited term position shall be credited with an initial annual leave grant of sixteen (16) hours which shall be immediately available, upon approval of the Appointing Authority, for such purposes as voting, religious observance, and necessary personal business. The sixteen (16) hours initial grant of annual leave shall not be credited to a unit employee more than once in a calendar year.
- B. Accrual. Subsequent to the initial grant of sixteen (16) hours, annual leave shall not be credited and available for use until the unit employee has completed seven hundred twenty (720) hours of paid service in the initial appointment. Paid service in excess of eighty (80) hours in a biweekly work period shall not be counted for purposes of annual leave accrual. A unit employee in a permanent or limited term position shall be entitled to annual leave with pay for each eighty (80) hours of paid service or to a pro-rated amount if paid service is less than eighty (80) hours in the pay period as follows:

ANNUAL LEAVE ACCRUAL TABLE

| <u>Service Credit</u>          |   | <u>Annual Leave</u>        |
|--------------------------------|---|----------------------------|
| 0-1 years (0-2,079 hours)      | = | 4.0 hours/80 hours service |
| 1-4 years (2,080-10,399 hours) | = | 4.7 hours/80 hours service |

Additional Accrual. Unit employees in a permanent or limited term position who have completed five years (10,400 hours) of currently continuous service shall earn annual leave with pay in accordance with their total classified service including military leave, subsequent to January 1, 1938 as follows:

ADDITIONAL ACCRUAL TABLE

| <u>Service Credit</u>               |   | <u>Annual Leave</u>        |
|-------------------------------------|---|----------------------------|
| 5-9 years (10,400 - 20,799 hours)   | = | 5.3 hours/80 hours service |
| 10-14 years (20,800 - 31,199 hours) | = | 5.9 hours/80 hours service |
| 15-19 years (31,200 - 41,599 hours) | = | 6.5 hours/80 hours service |
| 20-24 years (41,600 - 51,999 hours) | = | 7.1 hours/80 hours service |
| 25-29 years (52,000 - 62,399 hours) | = | 7.7 hours/80 hours service |
| 30-34 years (62,400 - 72,799 hours) | = | 8.4 hours/80 hours service |
| 35-39 years (72,800 - 83,199 hours) | = | 9.0 hours/80 hours service |

|             |                          |   |                             |
|-------------|--------------------------|---|-----------------------------|
| 40-44 years | (83,200 - 93,599 hours)  | = | 9.6 hours/80 hours service  |
| 45-50 years | (93,600 - 103,999 hours) | = | 10.2 hours/80 hours service |

C. Additional Credit. Solely for the purpose of additional annual leave, a unit employee shall be allowed state service credit for:

1. Employment in any excepted or exempted position as provided for in Civil Service Rules and Regulations dated May, 1983, Sections 2-1 and 2-2 in state government which preceded entry into the state classified service;
2. Up to five (5) years of honorable service in the armed forces of the United States subsequent to January 1, 1938, for which a military leave of absence would have been granted had the veteran been a state classified employee at the time of entrance upon military service. When a unit employee separates from employment and subsequently returns, military service previously credited shall not count as current continuous state service for purposes of requalifying for additional annual leave or longevity compensation if the unit employee previously qualified for and received these benefits.

D. Crediting.

1. Annual leave shall be credited at the end of the biweekly work period in which eighty (80) hours of paid service is completed. Annual leave shall be available for use only in biweekly work periods subsequent to the biweekly work period in which it is earned.
2. When paid service does not total eighty (80) hours in a biweekly work period, the employee shall be credited with a pro-rated amount of leave for that work period based on the number of hours in pay status divided by eighty (80) hours multiplied by the applicable accrual rate.
3. No annual leave shall be authorized, credited or accumulated in excess of the schedule below except that a unit employee who is suspended or dismissed in accordance with this Agreement and who is subsequently returned to employment with full back benefits by an arbitrator under Article 9, shall be permitted annual leave accumulation in excess of the schedule below. Any excess thereby created shall be liquidated within one (1) year from date of reinstatement by means of paid time off work or forfeited. If the unit employee separates from employment, for any reason during that one year grace period, the unit employee or beneficiary shall be paid for no more than the maximum as indicated below of unused credited annual leave.

E. Utilization. An employee may charge absence to annual leave with the approval of the Employer. Annual leave shall not be credited or used in anticipation of future leave credits.

- F. Final Average Compensation. No annual leave in excess of two hundred forty (240) hours shall be included in final average compensation for purposes of calculating the level of retirement benefits.
- G. Annual Leave Cap. The cap on annual leave accumulation shall be in accordance with the schedule below.
- H. Transfer And Payoff. Employees who voluntarily transfer from one state department to another shall be paid off at their current base rate of pay for their unused annual leave subject to the applicable cap below. However, the employee may elect, in writing, to transfer up to eighty (80) hours of accumulated annual leave. Annual leave in excess of eighty (80) hours, if any, up to the maximum allowed in accordance with the applicable accumulation cap may be transferred with the approval of the appointing authority to whose service the employee transfers.

Employees who separate after completion of the initial 720 hours of service shall be paid at their current hourly rate for the balance of their unused annual leave subject to the applicable cap below.

#### ANNUAL LEAVE ACCUMULATION CAP

| <u>Service Years</u> | <u>Accumulation Cap</u> | <u>Payoff Cap</u> |
|----------------------|-------------------------|-------------------|
| 1 – 4                | 296                     | 256               |
| 5 – 9                | 311                     | 271               |
| 10 – 14              | 326                     | 286               |
| 15 – 19              | 341                     | 301               |
| 20 – 24              | 346                     | 306               |
| 25 – 50              | 356                     | 316               |

- I. Banked Leave Time. Accumulated Banked Leave Time (BLT) may be used by an employee in the same manner as regular annual leave. Accumulated BLT hours shall not be counted against the employee's regular annual leave cap, known as part a hours. Before incurring unpaid Plan A or Plan Chours all BLT hours must be exhausted. The employee must exhaust all BLT hours prior to being considered for any annual leave donation.

Upon an employee's separation, death or retirement from state service, unused BLT hours shall be contributed by the state to the employee's account within the State of Michigan 401(k) plan, and if applicable to the State of Michigan 457 plan. Such contribution shall be treated as non-elective employer contributions, and shall be calculated using the product of the following: (i) the number of BLT hours and, (ii) the employee's base hourly

rate in effect at the time of the employee's separation, death, or retirement from state service.

- J. Personal Leave Day. After the unit employee completes his/her first 1,040 hours of state service, he/she shall be entitled to two (2) personal leave days to be used in accordance with normal requirements for annual leave usage. These leave days shall be credited to annual leave balances on October 1, 1988, and thereafter on each ensuing October 1.

K. Annual Leave Bank Donations.

1. Right to Receive Annual Leave Donations. Except as otherwise provided in this Article, annual leave credits may be transferred to other employees under the following conditions:

- a. The receiving employee has successfully completed his/her first 1,040 hours of state service and faces financial hardship due to serious injury or the prolonged illness of the employee or his/her dependent spouse, child or parent.
- b. The receiving employee has exhausted all leave credits.
- c. The receiving employee's absence has been approved.
- d. An employee may receive a maximum of thirty (30) work days by direct transfer of annual leave from employees within their employing department. The right to donate hours and receive hours through direct transfer is not limited to employees in this bargaining unit where reciprocal agreements exist with other exclusive representatives or provided for in the Civil Service Rules and Regulations for Non-Exclusively Represented Employees.
- e. An employee in this Bargaining Unit may receive a maximum of thirty (30) work days from the leave bank provided in this Section. The thirty (30) work day maximum will be reduced by any hours received through direct transfer.
- f. If the receiving employee returns to work with unused donated hours, those hours shall be transferred to the leave bank.

2. The Right to Donate Annual Leave Hours

- a. Annual leave donations must be for a minimum of eight (8) hours and a maximum of forty (40) hours annually and donations shall be in whole hour increments.

- b. Employee donations are irrevocable.
- c. The Office of the State Employer shall review requests and determine eligibility to receive hours from the Union leave bank or through a direct transfer of annual leave on an hour for hour basis.
- d. Donations to the Union leave bank may occur at any time. Employee base hours shall be converted to their monetary equivalent and deposited in Union central leave bank.
- e. A direct transfer of annual leave may occur at any time. Direct transfers shall be on an hour for hour basis.

L. School/Community Participation Leave.

- 1. Intent. The parties recognize the positive role adult involvement in school and community activities plays in promoting educational and community success. The parties intend by this Section to foster employee involvement in school sponsored activities and community programs.
- 2. Leave Credits. After 1040 hours of satisfactory state service, employees in a permanent or limited term position shall annually receive eight (8) hours of paid school participation leave to be used in accordance with the provisions of this section and the normal requirements for annual leave usage, provided, however, that such leave may be utilized in increments of one (1) hour if requested. The leave may be used to cover employees absence from their scheduled work day for reasonable travel to and from, and the duration of, the school or community activity.

School/community participation leave shall be credited to employees on october 1 of each year, and shall not carry forward beyond the fiscal year.

- 3. Use Of School/Community Leave. Employees may use the leave to participate in any school sponsored activity including but not limited to, tutoring, field trips, classroom programs, school committees, including preschool programs.

The use of the leave is intended for active participation in school sponsored secular activities by employees and not for mere attendance at school programs. The school sponsored secular activities may take place before, during, or after school.

The leave may also be used for active participation in any structured secular community activity sponsored by a governmental agency, or a non-profit community organization or agency, and not for mere attendance at community events. For example, employees may use the leave to participate in community activities such as serving as a volunteer docent

for the State of Michigan museum, making deliveries for meals on wheels, and construction work for habitat for humanity.

To request school/community participation leave, employees shall complete a school/community participation leave form provided by the employer.

4. Use of other leave. Employees shall be permitted to use annual leave and other leave credits to participate in school programs and community events in accordance with the normal requirements for the use of such leave. Additionally, in accordance with this Agreement and to the extent that operational considerations permit, an employee may, with supervisory approval, adjust his/her work schedule to allow attendance or participation in school activities or community events while working the regular number of work hours.